

CITY COUNCIL, CITY OF LODI  
 CITY HALL COUNCIL CHAMBERS  
 January 7, 1981

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, January 7, 1981 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - McCarty, Murphy, Pinkerton,  
 and Katnich (Mayor)

Absent: Councilmen - Hughes

Also

Present: City Manager Glaves, Assistant City  
 Manager Glenn, Community Development  
 Director Schroeder, Public Works  
 Director Ronsko, City Attorney Stein,  
 and City Clerk Reimche

INVOCATION

The invocation was given by Reverend Vernon  
 Robertson, Grace Presbyterian Church

PUBLIC  
 HEARINGS

APPEAL RE  
 VARIANCE TO  
 PERMIT  
 CONSTRUCTION OF  
 A FOUR-PLEX AT  
 1324 S. HUTCHINS,  
 LODI

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Katnich called for the Public Hearing to consider the appeal of William E. Ruff of the Planning Commission's denial of his request for a variance to permit the construction of a four-plex at 1324 S. Hutchins Street, Lodi.

Mayor Pro Tempore McCarty asked to abstain from discussion and voting on the matter because of a possible conflict of interest.

The matter was introduced by Community Development Director Schroeder who presented a diagram of the subject area. As requested by the Lodi City Council at its October 15, 1980 meeting, a report detailing those parcels and buildings on South Hutchins Street where variances have been granted was presented for Council's perusal. An exhibit which listed all structures built in the subject area since 1962 was also presented for Council's perusal. A diagram depicting all the variances which had been granted in the subject area was also presented and detailed for Council's information.

Speaking on behalf of his appeal was Mr. William E. Ruff, P.O. Box 14, Lodi, California.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

A very lengthy discussion followed with questions being directed to Staff and to Mr. Ruff.

On motion of Councilman Murphy, Pinkerton second, Council denied the appeal of William E. Ruff of the Planning Commission's denial of his request for a variance to permit the construction of a four-plex at 1324 S. Hutchins Street, Lodi. The

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motion carried by the following vote:

Ayes: Councilmen - Murphy, Pinkerton, and  
Katnich

Noes: Councilmen - None

Absent: Councilmen - Hughes

Abstain: Councilmen - McCarty

SPECIFIC PLAN  
FOR MILLS AVENUE  
BETWEEN  
KETTLEMAN LANE  
AND HARNEY  
LANE AND SAND  
CREEK DRIVE  
AND BEACH STREET,  
LODI

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Katnich called for the Public Hearing to consider the City Planning Commission's recommendation for the approval of the Specific Plan for Mills Avenue between Kettleman Lane and Harney Lane and Sand Creek Drive and Beach Street, Lodi, which are stub streets in the Lake Shore Village Subdivision.

ORD. NO. 1218  
INTRODUCED

The matter was introduced by Public Works Director Ronsko who presented diagrams of the subject area.

Mr. Ronsko informed the Council that Sand Creek Drive and Beach Street would be extended in conformance with City standards.

Mr. Ken Glantz, Civil Engineer representing Kenneth Lobaugh, addressed the Council about the cross street situated south of Lake Shore and north of Century asking if this precise plan would create problems with sight distance at the intersection of the cross street.

In response to Mr. Glantz' questions, Staff indicated it would not.

Mr. Gus Nepote, 1171 E. Harney Lane, Lodi, asked if the street would be aligned to provide a reasonable side yard on his property. Staff indicated it would.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

Following discussion, Councilman Pinkerton introduced Ordinance No. 1218 approving the Specific Plan for Mills Avenue between Kettleman Lane and Harney Lane and Sand Creek Drive and Beach Street, Lodi, which are stub streets in the Lake Shore Village Subdivision (Sand Creek Drive and Beach Street to be extended in conformance with City Standards.) The motion was seconded by Mayor Katnich and carried by the following vote:

Ayes: Councilmen - McCarty, Murphy, Pinkerton,  
and Katnich

Noes: Councilmen - None

Absent: Councilmen - Hughes

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ORDER OF  
ABANDONMENT OF  
PORTIONS OF THE  
EASEMENT  
LOCATED IN  
LOT 5, LODI  
INDUSTRIAL PARK

33-5228

Notice thereof having been published and posted in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Katnich called for the Public Hearing to consider the abandonment of portions of the easement located in Lot 5, Lodi Industrial Park.

The matter was introduced by Public Works Director Ronsko who presented diagrams of the subject area.

There being no persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Councilman Pinkerton, Murphy second, Council adopted an Order to abandon portions of the easement located in Lot 5, Lodi Industrial Park. The motion carried by unanimous vote.

COMMUNICATIONS  
(CITY CLERK)

NEW POSTAL  
FACILITY

33-763  
33-764  
33-765

City Clerk Reimche apprised the Council that a letter has been received from Senator Alan Cranston stating that he has shared the City Council's Resolution No. 80-115 with the Postal Service and that the Postal Service is reviewing local postal needs to determine the best location for a new postal facility.

ABC LICENSE

33-766

The City Clerk presented an application for Alcoholic Beverage License which had been issued on behalf of Leon H. Mitchell, Winifred K. Mitchell, and Ralph A. Small of the Loft.

CLAIMS

33-413

On recommendation of the City Attorney and R.L. Kautz and Company, the City's Contract Administrator, Council on motion of Mayor Katnich, Pinkerton second, rejected the claim filed on behalf of Mary Talley and referred same back to the City's Contract Administrator.

PUC APPLICATION

33-767  
33-768

City Clerk Reimche presented PUC Application No. 60153 filed by Pacific Gas and Electric Company requesting authorization, among other things, to increase its rates and charges for electric and gas service.

LETTER RECEIVED  
FROM STOCKTON  
COUNCILMAN  
RALPH L. WHITE

33-769  
33-770

City Clerk Reimche presented a letter which had been received from Councilman Ralph L. White, City of Stockton, thanking Council on behalf of his family for their expression of sympathy on the demise of Mr. White's nephew.

LETTER RECEIVED  
FROM LODI  
UNIFIED SCHOOL  
DISTRICT RE  
INTENTION TO SELL  
MILLSWOOD SCHOOL  
SITE

33-771  
33-772

A letter was presented which had been received from Constantine I. Baranoff, Administrative Director, Facilities and Planning, Lodi Unified School District, indicating the school district's intention to sell the Millswood School site.

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LETTER OF APPRECIATION RECEIVED RE HOODING OF PARKING METERS DURING HOLIDAY SEASON 12-7  
 12-7- City Clerk Reimche presented a letter which had been received from B.R. Kirchner, Jr., President, Lodi District Chamber of Commerce, thanking the Council and Staff of the City of Lodi, along with CLIC, for their cooperation in "hooding" the parking meters during the Christmas season. Response from the merchants and their customers indicate they were very pleased and satisfied with the project. The letter further related that an education program presented by employers, will produce minimal problems in the future.

COMMENTS BY CITY COUNCILMEN 12-7  
 Councilman Pinkerton reported that on Tuesday, December 30, 1980, Councilman Murphy, Assistant City Manager Jerry Glenn and he had met with David Vaccarezza who was representing Sanitary City Disposal Company to consider their request for an extension of their franchise. Councilman Pinkerton stated that it is "their" recommendation that an extension not be granted and that the recommendation is made for the following reasons:

- 1) A transfer station has not been built and, therefore, any savings are only speculative at this time;
- 2) Until such time as a transfer station is in operation, we do not know the effects on refuse collection service levels or the actual usage of such a facility by the public;
- 3) Financing of the transfer station has already been obtained and Mr. Vaccarezza is moving forward with construction;
- 4) The present contract is less than 2 years old and it is absolutely premature to consider any modifications of that contract

Council tacitly concurred with the recommendation.

GOALS FOR ACTION IN NEW YEAR DISCUSSED 12-6  
 Councilman Murphy called on his colleagues to set some specific goals for 1981 and suggested that action be focused on 1) the Community Center, 2) moving downtown vitalization ahead, and 3) developing means of attracting clean-air industry.

Discussion regarding each of the goals proposed followed, with no formal action being taken by the Council.

REPORTS OF THE CITY MANAGER  
 In accordance with report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Murphy second, were approved by Council.

CONSENT CALENDAR  
 \* \* \* \* \*

CLAIMS 12-7  
 CLAIMS IN THE AMOUNT OF \$1,403,007.92 WERE APPROVED BY THE COUNCIL.

MINUTES  
 Councilman Pinkerton asked to abstain from voting on the minutes of December 10, 1980 as he was not present at this meeting and could not confirm the accuracy of the subject minutes.

The Minutes of December 10, 1980 and December 17, 1980 were approved as written..

ACCEPTANCE OF "CATCH BASIN REPLACEMENT" 12-7  
 The contract for "Catch Basin Replacement", Washington Street and Pine Street, Washington Street and Locust Street, Pleasant Avenue and Chestnut Street and Pleasant Avenue N/Sierra Vista Place which had been awarded to Teichert Construction of Stockton on October 1, 1980

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in the amount of \$24,133.60 has been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "CATCH BASIN REPLACEMENT, WASHINGTON STREET AND PINE STREET, WASHINGTON STREET AND LOCUST STREET, PLEASANT AVENUE AND CHESTNUT STREET, AND PLEASANT AVENUE N/SIERRA VISTA PLACE" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

ACCEPTANCE OF  
"KETTLEMAN  
LANE  
SANITARY  
SEWER"

Council was informed that the contract for "Kettleman Lane Sanitary Sewer", W.I.D. Canal to 230' E/W.I.D. Canal" which had been awarded to Wayne Fregien of Stockton, CA, on October 15, 1980 in the amount of \$62,561.00 has been completed in substantial conformance with the plans and specifications approved by the City Council.

CC-401  
CC-402  
CC-5 (a)

COUNCIL ACCEPTED THE IMPROVEMENTS IN "KETTLEMAN LANE SANITARY SEWER, W.I.D. CANAL TO 230' E/W.I.D. CANAL" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

ACCEPTANCE OF  
"SMOKE & HEAT  
ALARM SYSTEM,  
PUBLIC  
SAFETY BLDG.

Council was informed that the contract which was awarded to Allen's Security Systems, Inc., of Rancho Cordova for "Smoke and Heat Alarm System, Public Safety Building" on October 1, 1980 in the amount of \$6,837.69 has been completed in substantial conformance with the plans and specifications approved by the City Council.

CC-20  
CC-27

COUNCIL ACCEPTED THE IMPROVEMENTS IN "SMOKE AND HEAT ALARM SYSTEM, PUBLIC SAFETY BUILDING" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

BID ON  
USED LEASED  
VEHICLES  
REJECTED

Council was informed that the City received only one bid for the purchase of four used leased vehicles. That bid was submitted by Senator Ford of Sacramento. Senator Ford's bid was for only 2 of the requested 4 vehicles, and they have now indicated that one of those vehicles has been sold.

CC-30  
CC-27

Staff is now in the process of contacting the State Cooperative Purchasing Department, as well as those dealers who did not bid, in order to determine the best way to proceed in the acquisition of these vehicles.

COUNCIL REJECTED THE BID RECEIVED ON THE PURCHASE OF FOUR USED LEASED VEHICLES, WHICH BID WAS RECEIVED FROM SENATOR FORD.

SPECS FOR  
SINGLE-PHASE  
CAPACITOR  
UNITS  
APPROVED

COUNCIL APPROVED SPECIFICATIONS FOR THE PURCHASE OF TWENTY-THREE 200 KVAR SINGLE-PHASE CAPACITOR UNITS AND DIRECTED THE CITY'S PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

RENEWAL OF  
INSTRUMENT  
MAINTENANCE  
SERVICES  
CONTRACT FOR  
WHITE SLOUGH  
WATER  
POLLUTION  
CONTROL  
FACILITY  
APPROVED

COUNCIL APPROVED THE RENEWAL OF THE INSTRUMENT MAINTENANCE SERVICE CONTRACT WITH DIABLO CONTROL COMPANY FOR THE INSTRUMENT MAINTENANCE AT THE WHITE SLOUGH WATER POLLUTION CONTROL FACILITY.

CC-50

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WORKERS' COMPENSATION CONTRACT ADMINISTRATION

COUNCIL AUTHORIZED THE CITY MANAGER TO EXTEND THE CITY'S CONTRACT WITH ESIS FOR THE ADMINISTRATION OF THE CITY'S WORKERS' COMPENSATION PROGRAM FOR CALENDAR YEAR 1981 AT A COST OF \$4,900.00 FOR 50 CLAIMS, PLUS \$98.00 FOR EACH CLAIM OVER 50.

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ACTION DEFERRED ON AGENDA ITEM "J"

At the request of Richard E. Sanborn and with the tacit concurrence of the City Council, action on agenda item "j" - "Request of Richard E. Sanborn for a median opening" was deferred to the City Council meeting of January 21, 1981.

AWARD - CONTRACT FOR LEGAL ADVERTISING FOR CITY OF LODI ACTION DEFERRED

Mayor Pro Tempore McCarty asked to abstain from discussion and voting on the following item, because of a possible conflict of interest.

The bids which had been received for the contract for legal advertising for the City of Lodi as follows were presented for Council's perusal:

Lodi Life and Times

- a) Price per column inch (1 inch x newspaper's standard column width) for first insertion of each advertisement \$1.50
- b) Price per column inch (1 inch x newspaper's standard column width) for each subsequent insertion of an advertisement \$1.45
- c) Price per copy of additional proofs after first three  
No charge

Paid circulation of bidding newspaper 3,700

Lodi News Sentinel

- a) Price per column inch (1 inch x newspaper's standard column width) for first insertion of each advertisement \$3.50
- b) Price per column inch (1 inch x newspaper's standard column width) for each subsequent insertion of an advertisement \$2.80
- c) Price per copy of additional proofs after first three  
No listing

Paid circulation of bidding newspaper 13,713

Council discussion followed with questions being directed to the City Attorney and City Clerk. On motion of Councilman Murphy, Pinkerton second, Council deferred action on this matter until the regular Council meeting of January 21, 1981, by the following vote:

Ayes: Councilmen - Murphy, Pinkerton, and Katnich

Noes: Councilmen - None

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Absent: Councilmen - Hughes

Abstain: Councilmen - McCarty

AWARD - CLUFF  
AVENUE  
STORM DRAIN  
PHASE I

City Manager Graves presented the following bids which had been received for the Contract for Cluff Avenue Storm Drain Phase I:

RES. NO. 81-1	BIDDER	AMOUNT
	Crutchfield Construction	\$39,696.00
	Teichert Construction	\$40,600.00
	Claude C. Wood Co.	\$41,980.00
	W.M. Lyles Co.	\$42,002.00
	D.C.M. Construction	\$43,752.00
	Wayne Fregien	\$55,457.00
	A. Zwankhuze	\$61,940.00

Council was apprised that there were two irregularities in the low bidder's bid proposal, namely,

1. The Unit price extension for item #3 was incorrect
2. The corporate seal was not affixed to the bid document as required.

Council was informed that included in the bid documents is the statement, "The owner reserves the right to waive any informalities or to reject any or all bids", which gives the City Council the right to waive the irregularities in the low bid or to reject the low bid.

Following Council discussion, with questions being directed to Staff and the City Attorney, Council, on motion of Councilman Murphy, McCarty second, adopted Resolution No. 81-1 waiving the irregularities in the low bid and awarding the contract for Cluff Avenue Storm Drain Phase I to Crutchfield Construction in the amount of \$39,696.00.

PLANS & SPECS  
FOR "CLUFF AVENUE  
STORM DRAIN, PHASE  
II APPROVED

The plans and specifications for "Cluff Avenue Storm Drain, Phase II" were presented for Council's approval. In general, the work consists of installing approximately 1100 LF of 72" storm drain pipe from the flood plain boundary at Willow Oaks Golf Course, to the intersection of Cluff and Turner, and a slide gate. A separate bid (Schedule 11) includes the installation of a 60" storm drain in Turner Road east of Cluff Avenue across the Sanitary City Disposal Company development.

On motion of Councilman Pinkerton, Murphy second, Council approved the plans and specifications for "Cluff Avenue Storm Drain, Phase II" and authorized the City Clerk to advertise for bids thereon.

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PLANS AND SPECS FOR CHEROKEE LANE STORM DRAIN APPROVED

The plans and specifications for "Cherokee Lane Storm Drain, Vine Street to 250' S/Vine Street" were presented for Council's approval. Council was informed that, in general, the work consists of installing approximately 250 LF of 12" storm drain pipe, a side inlet catch basin and 20 LF curb and gutter in the west side of Cherokee Lane south of Vine Street.

On motion of Councilman Pinkerton, Murphy second, Council approved the plans and specifications for "Cherokee Lane Storm Drain, Vine Street to 250' S/ Vine Street" and authorized the City Clerk to advertise for bids thereon.

JOB SPECIFICATIONS AND SALARY RANGE APPROVED FOR COMMUNITY RELATIONS ASSISTANT

Following introduction of agenda item "o" - "Approve job specifications for Community Relations Assistant" by City Manager Glaves and Council discussion, on motion of Councilman Pinkerton, Katnich second, Council approved the job specifications for Community Relations Assistant - Charlene Lange and set the salary range at \$1,430.87 to \$1,739.25 per month. The motion carried by unanimous vote.

ACTION ON PROPOSED MEMBER SERVICE AGREEMENT NCPA DEFERRED

With the tacit concurrence of the City Council, action on agenda item "p" - "Approve proposed Member Service Agreement - NCPA" was deferred to the City Council meeting of January 21, 1981.

REPAIRS TO FIRE ENGINE 20x4 APPROVED

Following introduction of the matter by City Manager Glaves, Council, on motion of Councilman Pinkerton, Katnich second, directed that the necessary repairs to Fire Engine 20x4 be made by the most competent engine repair firm at a cost of approximately \$35,000.00

On motion of Councilman Pinkerton, Murphy second, Council approved a Special Allocation in the amount of \$35,000.00 to cover these repairs.

CLOSED SESSION OF COUNCIL

The Council adjourned to a Closed Session at approximately 9:20 p.m., with the Mayor announcing that the Council would not reconvene following the closed session.

Attest:

*Alice M. Reimche*  
ALICE M. REIMCHE  
City Clerk